

REMARKS

Claims 1-9, 11 and 12 are pending. Claims 1-3, 8, 9 and 12 are amended herein. Claim 10 has been canceled.

Claim Amendments

Claim 1 has been amended to recite that the mid-plane of the pedal is parallel to an upper bearing face of the pedal (see the specification at p. 4, ll. 33-36 and the drawing figures) and to recite that the front face is located outside of two sides of the first front hoop (see the specification at p. 6, ll. 29-34 and Fig. 2). Recitations of the mid-plane of the pedal have been further amended to improve clarity with respect to antecedent basis. Claim 1 has further been amended to clarify that the front face is inclined downward toward a front *of the pedal* to improve clarity.

Claim 2 has been amended to change the recitation of “about 40°” to “40°” in order to overcome the Examiner’s §112 rejection.

Claim 3 has been amended in response to the Examiner’s §112 to clarify the recited angular range of clicking in.

Claims 8 and 9 have been rewritten in independent form and to improve clarity. Claim 9 has further been amended to correct a misspelling of the term “said.”

Claim 12 has been amended to clarify that the front face is inclined downward toward a front *of the pedal* to improve clarity. Additionally, recitations of the mid-plane of the pedal have been amended to improve clarity with respect to antecedent basis.

No new matter has been added.

Claim Objection

Applicant respectfully requests reconsideration and withdrawal of the objection to claim 9 as containing a misspelling of the term “said.” As noted above, claim 9 has been amended to correct this error.

Claim Rejections under 35 U.S.C. §112

Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 2 and 3 as being indefinite under 35 U.S.C. §112, second paragraph.

With regard to claim 2, the Examiner stated that the term “about” is indefinite. Applicant has deleted this term from claim 2.

With regard to claim 3, the Examiner stated that the recitation of a range for clicking in of “25°” is indefinite because a single number does not constitute a range. Applicant respectfully disagrees. However, to clarify the claim to the Examiner, applicant has amended claim 3 to recite that the angular range for clicking in is “a 25° range.” In other words, the range can extend between any two defined angles that are within 25° of each other.

Applicant submits that the above amendments overcome the §112 rejections asserted by the Examiner.

Claim Rejections under 35 U.S.C. §102

Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1-7 under 35 U.S.C. §102(b) as being anticipated by Lancelot (FR 2,809,701).

Claim 1, as amended, recites that the front face of the pedal is located outside of two sides of the first front hoop and is inclined downward toward a front of the pedal. These claim features provide for a downward incline of front face in an area where the studs of the shoe sole would interfere with the front face if the front face were not inclined downward. The Examiner

considers the surface C2a of Figs. 9 and 10 in Lancelot to correspond to the presently recited front face. Contrary to the claimed front face, the asserted front face of Lancelot is located *inside* the coupling hoops, between the radial arms of the hoops. Thus, the surface C2a does not cooperate at all with the shoe sole and the shoe studs, which are located outside of the hoops.

Additionally, claim 1, as amended, recites that the mid-plane of the pedal is parallel to an upper bearing face of the pedal. The Examiner considers the mid-plane of the pedal to be a plane passing through the geometric axis of the pedal, just above the front hoop spindle and just below the rear hoop spindle. This mid-plane is not parallel to the upper bearing face of the pedal as recited in present claim 1.

For at least the reasons provided above, Lancelot does not anticipate claim 1, and therefore does not anticipate dependent claims 2-7.

Allowable Subject Matter

Applicant thanks the Examiner for the allowance of claims 11 and 12. Applicant submits that the amendments made to claim 12 does not adversely affect the allowability of claims 11 and 12 over the cited art.

Applicant thanks the Examiner for the indication of allowable subject matter in claims 8 and 9. Claims 8 and 9 have been rewritten in independent form and to improve clarity.

Conclusion

In view of the above amendment, applicant believes the pending application is in condition for allowance.

If a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 21029-00270-US from which the undersigned is authorized to draw.

Application No. 10/758,255
Amendment dated December 5, 2006
After Final Office Action of July 5, 2006

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Respectfully submitted,

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